

ORIGINAL

Decision No. 72397

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
 SUPERIOR FAST DRAYAGE, a California
 corporation, (a) for an order author-
 izing it to abandon its warehouse
 facilities in the City of Vernon and
 for an order revoking its Vernon
 warehouse prescriptive rights, pur-
 suant to Sections 1051-1054 of the
 Public Utilities Code; (b) for a
 certificate of public convenience and
 necessity authorizing it to conduct
 business as a public warehouseman of
 general commodities in the City of
 Los Angeles, pursuant to Section
 1051 of the Public Utilities Code.

Application No. 49176
 (Filed February 28, 1967)

O P I N I O N

Superior Fast Drayage, a California corporation, possesses a prescriptive right as a public utility warehouseman for the operation of 32,000 square feet of storage or warehouse space located at 4527 Loma Vista Avenue, Vernon, California.¹ By this application it seeks authority to abandon its Vernon warehouse and requests a certificate of public convenience and necessity as a public utility warehouse to operate 32,000 square feet of storage space for the storage of general commodities at 3410 San Fernando Road in the city of Los Angeles.

¹ Case No. 6918, dated August 30, 1960.

The applicant alleges that the reasons for the change of location are that on or about April 1, 1967, it will be required to vacate its present premises in Vernon and that on or about said date it will move its public utility warehouse operations to a new facility located at 3410 San Fernando Road, Los Angeles.

The applicant further alleges that the new facility consists of a one story building with a concrete floor and an automatic sprinkler system; that it contains 32,000 square feet of storage space which is available for storage of general commodities; that it is adjacent to a rail spur; that it has truck loading and unloading facilities; that both the old and the new locations are within the same commercial area of the Greater Los Angeles Metropolitan Area and the change will not disadvantage any customer presently storing with the applicant; and that the proposed storage area does not exceed the existing authorized storage space of 32,000 square feet of storage space.

The application further alleges that applicant will continue to store general commodities as a public warehouseman at the new location for those accounts served at its present location; that it will store at its existing rates and rules; and that the service at the new location will provide the general public with a warehouse in an area not presently favored with a warehouse.

A copy of the application was served on the Los Angeles Warehousemen's Association prior to February 25, 1967. The application was listed on the Commission's Daily Calendar of March 1, 1967. No objections have been received by this Commission.

The Commission finds that:

1. The proposed transfer of location would not be adverse to the public interest.
2. Public convenience and necessity no longer require public utility warehouse operations by applicant at 4527 Loma Vista Avenue, Vernon, California.
3. Discontinuance of such operations at 4527 Loma Vista Avenue will not be adverse to the public interest.
4. Public convenience and necessity require that applicant operate 32,000 square feet of warehouse space for the storage of general commodities at 3410 San Fernando Road, Los Angeles, California.
5. A public hearing is not necessary.

The certificate hereinafter granted shall be subject to the following provision of law:

"The Commission shall have no power to authorize the capitalization of this certificate of public convenience and necessity or the right to own, operate or enjoy such certificate of public convenience and necessity in excess of the amount (exclusive of any tax or annual charge) actually paid to the State as the consideration for the issuance of such certificate of public convenience and necessity or right."

The Commission concludes that the application should be granted and that the effective date of the order should be the date on which it is issued.

The order which follows will provide for the revocation of the prescriptive right presently held by applicant and the issuance of a certificate of public convenience and necessity to applicant.

O R D E R

IT IS ORDERED that:

1. A certificate of public convenience and necessity is granted to Superior Fast Drayage, a corporation, as a public utility warehouseman, as defined in Section 239(b) of the Public Utilities Code, for the operation of storage or warehouse floor space as set forth in Appendix A attached hereto and made a part hereof.

2. The certificate of public convenience and necessity granted in paragraph one of this order shall supersede the prescriptive right recognized and described in Case No. 6918 which right shall be revoked effective concurrently with the effective date of tariff filings required by paragraph 3 hereof.

3. Applicant shall amend or reissue its tariffs on file with the Commission naming the rates and rules governing the warehouse operations herein to show that it has made said rates and rules effective at the new location. The tariff filings shall be made effective not earlier than ten days after the effective date of this order on not less than ten days' notice to the Commission and the public, and the effective date of the tariff filings shall be concurrent with the commencement of business at the new address. The tariff filings made pursuant to this order shall comply in all respects with the regulation governing the distribution and filing of tariffs set forth in the Commission's General Order No. 61-A.

4. In providing service pursuant to the certificate herein granted, Superior Fast Drayage, a corporation, shall comply with and observe the following service regulation:

Within thirty days after the effective date hereof, applicant shall file a written acceptance of the certificate herein granted. Applicant is placed on notice that, if it accepts the certificate of public convenience and necessity herein granted, it will be required, among other things, to file annual reports of its operations. Failure to file such reports in such form and at such time as the Commission may direct, may result in a cancellation of the public utilities warehouse operations authorized by this decision.

5. At the direction of any storage patron of applicant's Vernon warehouse the property of the storer shall be transported to applicant's Los Angeles Warehouse or any public warehouse of storer's choice. This shall be done entirely at the expense of the applicant, and at no risk or expense to the storer.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 9th day of MAY, 1967.

[Signature]
President

[Signature]

William [Signature]

[Signature]
Commissioners

Commissioner A. W. Gatov, being necessarily absent, did not participate in the disposition of this proceeding.
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Appendix A

SUPERIOR FAST DRAYAGE
(a corporation)

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Superior Fast Drayage, a corporation, by the certificate of public convenience and necessity granted in the decision noted in the margin, is authorized to operate as a public utility warehouseman for the operation of storage or warehouse floor space as follows:

<u>Location</u>	<u>Number of Square Feet of Floor Space</u>
Los Angeles	32,000

(The floor space shown above is exclusive of the 50,000 square feet of expansion permissible under Section 1051 of the Public Utilities Code).

End of Appendix A

Issued by California Public Utilities Commission.

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